

**EVENT VIOLATION**  
**INSPECTOR'S STATEMENT**  
**MINERALS REGULATORY PROGRAM**

November 17, 2004

Company/Mine: Dan Meyers  
Permit #: M/045/064

CO # MC-04-04-01(1)  
Violation # 1 of 1

**SERIOUSNESS**

1. What type of event is applicable to the regulation cited? Refer to the DOGM reference list of event below and remember that **the event is NOT the same as the violation.** Mark and explain each event.

- |                                     |    |  |
|-------------------------------------|----|--|
| <input type="checkbox"/>            | a. | Activity outside the approved permit area.                     |
| <input type="checkbox"/>            | b. | Injury to the public (public safety).                          |
| <input type="checkbox"/>            | c. | Damage to property.  |
| <input checked="" type="checkbox"/> | d. | Conducting activities without appropriate approvals.           |
| <input type="checkbox"/>            | e. | Environmental harm.  |
| <input type="checkbox"/>            | f. | Water pollution.   |
| <input type="checkbox"/>            | g. | Loss of reclamation/revegetation potential.                    |
| <input type="checkbox"/>            | h. | Reduced establishment, diverse and effective vegetative cover. |
| <input type="checkbox"/>            | i. | No event occurred as a result of the violation.                |
| <input type="checkbox"/>            | j. | Other.   |

Explanation: The operator failed to get a State Mining Permit based on the recommendation of the County. The operator stated in his correspondence with the county that they would be hauling rock from Tooele County and there request lacked any specifics related to where and how they would be doing this. They never corresponded with the Division of Oil, Gas, and Mining.

2. Has the event or damage occurred? Yes

Explanation: The operation has removed a large quantity of rock from the quarry in question

3. Did any damage occur as a result of the violation? Yes  
If yes, describe the duration and extent of the damage or impact. How much damage may have occurred if the violation had not been discovered by a DOGM inspector? Describe this potential damage and whether or not it would extend off the disturbed and/or permit area.

Explanation: The quarry has been impacted from the excavation of rock, it appears as if this has been on going for several years.



B. **DEGREE OF FAULT** (Check the statements which apply to the violation and discuss).

- ☐ Was the violation not the fault of the operator (due to vandalism or an act of God), explain. Remember that the permittee is considered responsible for the actions of all persons working on the mine site.

Explanation: \_\_\_\_\_

- ☒ Was the violation the result of not knowing about DOGM regulations, indifference to DOGM regulations or the result of lack of reasonable care.

Explanation: The operator felt they did not need a permit to mine and haul rock from the existing quarry based on what Tooele County had told them. They supplied an email which they had sent to Tooele County asking if they would need a mining permit to haul rock from Tooele County.

- ☐ If the actual or potential environmental harm or harm to the public should have been evident to a careful operator, describe the situation and what, if anything, the operator did to correct it prior to being cited.

Explanation: \_\_\_\_\_

- ☐ Was the operator in violation of a specific permit condition?

Explanation: \_\_\_\_\_

- ☐ Has DOGM cited the violation in the past? If so, give the dates and the type of warning or enforcement action taken.

Explanation: \_\_\_\_\_

Was any economic benefit gained by the operator for failure to comply? Yes  
If yes explain.

Explanation: The fact the operator has not had to pay permit fees or permit a Large Mining Operation or post a reclamation bond has provided financial benefit to the operator.



Event Violation  
Inspector's Statement

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**GOOD FAITH**

1. In order to receive good faith for compliance with an NOV or CO, the violation must have been abated before the abatement deadline. If you think this applies, describe how rapid compliance was achieved (give date) and describe the measures the operator took to comply as rapidly as possible.

Explanation: The operator has been contacting bonding companies and has agreed to come talk with us regarding the permitting process. Once he knew what was going on and we contacted him regarding the requirements of a Large Mining Operation permit, he appeared to want to comply.

2. Explain whether or not the operator had the necessary resources on site to achieve compliance.

Explanation: \_\_\_\_\_

3. Was the submission of plans prior to physical activity required by this NOV / CO? \_\_\_\_\_ If yes, explain.

Explanation: \_\_\_\_\_

Tom MURSON  
Authorized Representative

Tom MURSON  
Signature

11/17/04  
Date

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